

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 11, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

SIMON LEE SAMPSON,

Defendant.

NO. 1:18-CR-02029-SAB-1

**ORDER VACATING
CONVICTION AND
DISMISSING CASE**

Before the Court is Defendant's Unopposed Motion to Vacate Conviction and Dismiss Case, ECF No. 121. Defendant is represented by Paul Shelton; the Government is represented by Richard R. Barker. Mr. Sampson passed away from COVID-19 complications on June 14, 2020, while his direct appeal was pending in the U.S. Court of Appeals for the Ninth Circuit. The Government does not oppose the motion to vacate or the motion to dismiss. Accordingly, Defendant's judgment must be vacated, and the indictment must be dismissed. See ECF No. 119 (citing *United States v. Oberlin*, 718 F.2d 894, 895 (9th Cir. 1983)).

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Unopposed Motion to Vacate Conviction and Dismiss Case, ECF No. 121, is **GRANTED**.

2. The Indictment, ECF No. 1, is **DISMISSED**.

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ORDER VACATING CONVICTION AND DISMISSING CASE * 1

1 3. The Judgment, ECF No. 109, is **VACATED**.

2 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
3 enter this Order, furnish copies to counsel, and **close** the file.

4 **DATED** this 11th day of August 2020.



10 *Stanley A. Bastian*

11 Stanley A. Bastian
12 Chief United States District Judge
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